

158.162 Mandatory adoption of emergency management response plan in each school -- Emergency response drills -- Consequence of schools failing to comply.

- (1) As used in this section:
 - (a) "Emergency management response plan" or "emergency plan" means a written document to prevent, mitigate, prepare for, respond to, and recover from emergencies; and
 - (b) "First responders" means local fire, police, and emergency medical personnel.
- (2)
 - (a) Each local board of education shall require the school council or, if none exists, the principal in each school building in its jurisdiction to adopt an emergency plan to include procedures to be followed in case of fire, severe weather, or earthquake, or if a building lockdown as defined in KRS 158.164 is required.
 - (b) Following adoption, the emergency plan, along with a diagram of the facility, shall be provided to appropriate first responders.
 - (c) The emergency plan shall be reviewed following the end of each school year by the school council, the principal, and first responders and shall be revised as needed.
 - (d) The principal shall discuss the emergency plan with all school staff prior to the first instructional day of each school year and shall document the time and date of any discussion.
 - (e) The emergency plan and diagram of the facility shall be excluded from the application of KRS 61.870 to 61.884.
- (3) Each local board of education shall require the school council or, if none exists, the principal in each school building to:
 - (a) Establish primary and secondary evacuation routes for all rooms located within the school and shall post the routes in each room by any doorway used for evacuation;
 - (b) Identify the best available severe weather safe zones, in consultation with local and state safety officials and informed by guiding principles set forth by the National Weather Service and the Federal Emergency Management Agency, and post the location of safe zones in each room of the school;
 - (c) Develop practices for students to follow during an earthquake; and
 - (d) Develop and adhere to practices to control the access to each school building. Practices shall include but not be limited to:
 1. Controlling outside access to exterior doors during the school day;
 2. Controlling the main entrance of the school with electronically locking doors, a camera, and an intercom system;
 3. Controlling access to individual classrooms;
 4. Requiring classroom doors to be equipped with hardware that allows the door to be locked from the outside but opened from the inside;

5. Requiring classroom doors to remain closed and locked during instructional time, except:
 - a. In instances in which only one (1) student and one (1) adult are in the classroom; or
 - b. When approved in writing by the state school security marshal;
 6. Requiring classroom doors with windows to be equipped with material to quickly cover the window during a building lockdown;
 7. Requiring all visitors to report to the front office of the building, provide valid identification, and state the purpose of the visit; and
 8. Providing a visitor's badge to be visibly displayed on a visitor's outer garment.
- (4) All schools shall be in compliance with the provisions of subsection (3)(d) of this section as soon as practicable but no later than July 1, 2022.
- (5) Each local board of education shall require the principal in each public school building in its jurisdiction to conduct, at a minimum, emergency response drills to include one (1) severe weather drill, one (1) earthquake drill, and one (1) lockdown drill within the first thirty (30) instructional days of each school year and again during the month of January. Required fire drills shall be conducted according to administrative regulations promulgated by the Department of Housing, Buildings and Construction. Whenever possible, first responders shall be invited to observe emergency response drills.
- (6) No later than November 1 of each school year, a local district superintendent shall send verification to the Kentucky Department of Education that all schools within the district are in compliance with the requirements of this section.
- (7) A district with a school not in compliance with the requirements of subsection (3)(d) of this section by July 1, 2022, shall not be eligible for approval by the Kentucky Department of Education for new building construction or expansion in the 2022-2023 school year and any subsequent year without verification of compliance, except for facility improvements that specifically address the school safety and security requirements of this section, when deemed necessary for the protection of student or staff health and safety, or to comply with other legal requirements or orders.

Effective: February 21, 2020

History: Amended 2020 Ky. Acts ch. 5, sec. 11, effective February 21, 2020. -- Amended 2019 Ky. Acts ch. 5, sec. 14, effective March 11, 2019. -- Amended 2015 Ky. Acts ch. 38, sec. 1, effective June 24, 2015. -- Created 2013 Ky. Acts ch. 126, sec. 1, effective June 25, 2013; and ch. 133, sec. 1, effective June 25, 2013.

Legislative Research Commission Note (6/25/2013). This statute was created by 2013 Ky. Acts chs. 126 and 133, which were companion bills and are substantively identical. Where these Acts are not in conflict, they have been codified together. Where a conflict exists, Acts ch. 126 prevails under KRS 446.250 as the Act which passed the General Assembly last.